IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

WRIT PETITION NO: 18781 of 1995

Between:

1 K. Madhusudana Rao, S/o Mallikarjun
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

2 Kalavalapudi Sivaiah, S/o Veeraiah,
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

3 Paluru Navakoteshwara Rao, S/o Subbaiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

4 Sivaji Koteshwariah S/o Masthanaiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

5 Paluri Sarveshwariah S/o Veeraiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

6 Sivaji Someswariah S/o Masthanaiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

7 Kalavalapudi Ratnamma W/o Gunnaiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

8 Paluri Ramagraghavaiah S/o Veeraswamy
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

9 K. Madhusudana Rao S/o Mallikarjun
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

10 Paluri Papaiah S/o Papaiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

11 Nandi Chinnamma W/o Mallikarjun
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

12 Paluri Easwaramma W/o Easwaraiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

13 Kalavalapudi Kalamma, W/o Venkataiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

14 Kalavalapudi Ramaiah S/o Easwaraiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

15 Bellamkonda Bujjamma W/o Venkataiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

16 Paluri Subramanyam S/o Ragaiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

17 Mamidi Badraiah S/o Balaiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

18 Kalavalapudi Shankaraiah S/o Bujjaiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

19 Paluri Veerabadraiah S/o Bhadraiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

20 Paluri Ramalingiah S/o Veeraiah
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

21 Kalavalapudi Ragamma W/o Veeraswamy
R/o Jangalapalli Village, Venkatagiri Mandal,
Nellore District.

..... PETITIONERS

AND

1 The Executive Engineer, Telugu Ganga Project,
Venkatagiri Nellore District.
2 The Chief Engineer ,Telugu Ganga Project,
Srikalahasti, Chittoor District.
3 Special Collector, Telugu Ganga Project,
Nellore.
4 The Chief Executive Engineer, Telugu Ganga Project,
O/o Engineer-in-Chief, Erramanzil, Hyderabad.
5 The District Collector, Nellore.
6 The Mandal Revenue Officer,
Venkatagiri, Nellore.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction preferably in the nature of Writ of Manamus declaring the action of the first respondent in carrying out kandaleru-pudi canal work without paying compensation to the petitioners of Jangalapalli village as arbitrary, illegal, discriminatory and further direct the respondents to provide house sites to the petitioners surrounding to Venkatagiri after acquiring the properties and paying compensation to the petitioners.

Counsel for the Petitioners: MR. K.JAYAKUMAR

Counsel for the Respondents 1 & 2: GP FOR IRRIGATION

Counsel for the Respondents 3 to 6: GP FOR REVENUE

The Court made the following O R D E R:

Learned counsel for the petitioners submits that after this writ petition was filed and after filing of the counter also, proposals were issued for acquisition of the land belonging to the petitioners.

In this view of the matter, no further orders are necessary to be passed in this writ petition, except reiterating that the land of the petitioners may not be taken possession of by the respondents, except through due process of law.

The writ petition is accordingly disposed of. No order as to costs.

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(Bilal Nazki, J)

20th January, 2005.

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To

1 The Executive Engineer, Telugu Ganga Project,

Venkatagiri Nellore District.

2 The Chief Engineer ,Telugu Ganga Project,

Srikalahasti, Chittoor District.

3 Special Collector, Telugu Ganga Project, Nellore.

4 The Chief Executive Engineer, Telugu Ganga Project,

O/o Engineer-in-Chief, Erramanzil, Hyderabad.

5 The District Collector, Nellore.

6 The Mandal Revenue Officer, Venkatagiri, Nellore.

7 Two CCs to the Government Pleader for Irrigation, High Court

Buildings, A.P., Hyderabad (OUT)

8 Two CCs to the Government Pleader for Revenue, High Court

Buildings, A.P., Hyderabad. (O.U.T.)

9 Two CD copies.